
IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

DOMINIC TABAN AGGREY,

Plaintiff,

vs.

STATE OF UTAH,

Defendant.

**MEMORANDUM DECISION
AND ORDER ADOPTING REPORT
AND RECOMMENDATION**

Case No. 2:18-CV-00904-DAK-DBP

Judge Dale A. Kimball

This case was assigned to United States District Court Judge Dale A. Kimball, who then referred it to United States Magistrate Dustin B. Pead under 28 U.S.C. § 636(b)(1)(B). On March 19, 2019, Magistrate Judge Pead issued a Report and Recommendation, recommending that the court dismiss Plaintiff's Complaint without prejudice for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2) and moot Plaintiff's Motion for Service. The Report and Recommendation notified Plaintiff that any objection to the Report and Recommendation was required to be filed within fourteen days of receiving it. As of the date of this Order, Plaintiff has not filed an objection and the time for doing so has passed.

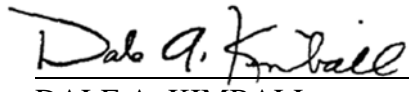
A Magistrate Judge's Report and Recommendation is subject to *de novo* review by this court. *See* 28 U.S.C. § 636(b)(1)(B); *see also* Fed. R. Civ. P. 72(b). The court has reviewed the Report and Recommendation and the record *de novo*. The court agrees with Magistrate Judge Pead's recommendation to dismiss the case for failure to state a claim and moot Plaintiff's Motion for Service. The court construes *pro se* filings liberally. *See Hall v. Bellmon*, 935 F.2d

1106, 1110 (10th Cir. 1991). However, Plaintiff has not alleged actionable federal claims or facts to support such claims.

Accordingly, the court adopts and affirms Magistrate Judge Pead's Report and Recommendation in its entirety. Plaintiff's Complaint is dismissed without prejudice for failure to state a claim, and Plaintiff's Motion for Service is now moot.

DATED this 10th day of April, 2019.

BY THE COURT:



DALE A. KIMBALL
United States District Judge